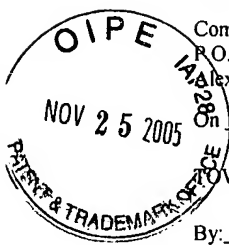


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

IPW
PATENT
Attorney Docket No.: 09623V-047600US



On November 23, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: *MTD*

Mark T. Davis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Remy Zimmermann

Application No.: 10/767,132

Filed: January 28, 2004

For: USE OF MULTIMEDIA DATA
FOR EMOTICONS IN INSTANT
MESSAGING

Examiner: Not Yet Assigned

Art Unit: 2173

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 1287 OG 163] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

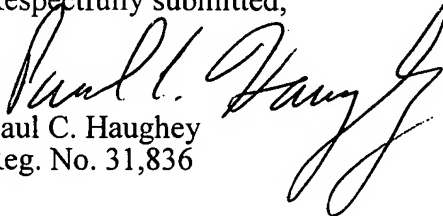
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

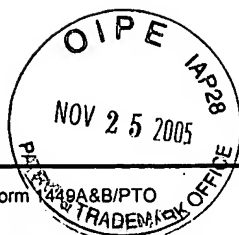
Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Paul C. Haughey
Reg. No. 31,836

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Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
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PCH:mtd
60637381 v1



Substitute for form 1449A&B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/767,132	
			Filing Date	January 28, 2004	
			First Named Inventor	Zimmermann, Remy	
			Art Unit	2173	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	3	Attorney Docket Number	09623V-047600US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US 3,956,745	05-11-1976	Ellis	
	AB	US 4,200,862	04-29-1980	Campbell et al.	
	AC	US 4,356,509	10-26-1982	Skerlos et al.	
	AD	US 4,386,436	05-31-1983	Kocher et al.	
	AE	US 4,425,647	01-10-1984	Collins et al.	
	AF	US 4,509,211	04-02-1985	Robbins	
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	AH	US 4,535,333	08-13-1985	Twardowski	
	AI	US 4,566,034	01-21-1986	Harger et al.	
	AJ	US 4,623,887	11-18-1986	Welles	
	AK	US 4,626,847	12-02-1986	Zato	
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	AP	US 4,746,919	05-24-1988	Reitmeier	
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	AT	US 4,794,371	12-27-1988	Yamamoto	
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	AV	US 4,825,200	04-25-1989	Evans et al.	
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	AY	US 4,856,081	08-08-1989	Smith	
	AZ	US 4,860,380	08-22-1989	Mengel	
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	BB	US-4,918,439	04-17-1990	Wozniak et al.	
	BC	US-4,959,810	09-25-1990	Darbee et al.	
	BD	US-5,228,077	07-13-1993	Darbee	
	BE	US-5,255,313	10-19-1993	Darbee	
	BF	US 5,414,426	05-09-1995	O'Donnell et al.	
	BG	US-5,414,761	05-09-1995	Darbee	
	BH	US-5,552,917	09-03-1996	Darbee et al.	
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	BK	US 5,689,575	11-18-1997	Sako et al.	
	BL	US 5,959,751	09-28-1999	Darbee et al.	
	BM	US 6,016,148	01-18-2000	Kang et al.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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			Application Number	10/767,132	
			Filing Date	January 28, 2004	
			First Named Inventor	Zimmermann, Remy	
			Art Unit	2173	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	3	Attorney Docket Number	09623V-047600US

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		Number Kind Code ² (if known)			
	BN	US 6,064,383	05-16-2000	Skelly	
	BO	US 6,069,622	05-30-2000	Kurlander	
	BP	US-6,130,726	10-10-2000	Darbee et al.	
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	BR	US 6,222,939	04-24-2001	Wiskott et al.	
	BS	US 6,272,231 B1	08-07-2001	Maurer et al.	
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	BV	US 6,400,374	06-04-2002	Lanier	
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	BX	US 6,466,695	10-15-2002	Poltzsch et al.	
	BY	US 6,545,682	04-08-2003	Ventrella et al.	
	BZ	US 6,580,811	06-17-2003	Maurer et al.	
	CA	US 6,593,950	07-15-2003	Nomura et al.	
	CB	US 6,629,793	10-07-2003	Miller	
	CC	US-6,724,339 B2	04-20-2004	Conway et al.	
	CD	US-6,747,591 B1	06-08-2004	Lilleness et al.	
	CE	US 2001/0033675	10-21-2001	Maurer et al.	
	CF	US 2003/0043153	03-06-2003	Buddemeier et al.	
	CG	US 2003/0156134	08-21-2003	Kim	
	CH	US 2003/0202686	10-30-2003	Rowe	
	CI	US 2003/0206171	11-06-2003	Kim	
	CJ	US 2003/0235341	12-25-2003	Gokturk et al.	
	CK	US-2004/0117632 A1	06-17-2004	Arling et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)			
	CL	WO	01/67759 A1	09-13-2001		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CM	MILLER, Stanley A.; "Program adds 3-D faces to instant messages"; 2001, <u>Milwaukee Journal Sentinel</u> , http://www.jsonline.com/bym/tech/news/oct01/see02100101.asp , 2 pages.	

Examiner Signature		Date Considered	
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Sheet	3	of	3	Attorney Docket Number	09623V-047600US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CN	"Synthetic Video communication: Server-based Mobile Services"; http://www.seestorm.com/application/mobile , 2 pages.	
	CO	"Synthetic Video communication: SeeStorm Mobile 2.0"; http://www.seestorm.com/products/mobile , 2 pages.	

Examiner Signature		Date Considered	
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